

JPW 1623

(Substitute) PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM OCT 13 2004 (to be used for correspondence after initial filing) TRADEMARK OFFICE	Application Number	09/089,583
	Filing Date	June 3, 1998
	First Named Inventor	Kenneth WEISMAN
	Art Unit	1623
	Examiner Name	Howard V. Owens
Total Number of Pages in This Submission	Attorney Docket Number	W1068/20011

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Receipt Postcard.
Remarks Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.; Customer No. 03000 Kevin A. Keeling; Reg. No. 51,867
Signature	<i>[Signature]</i>
Date	10/7/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. [Transmitted to Facsimile No. (703) *]	
Typed or printed name	Kevin A. Keeling; Reg. No. 51,867
Signature	<i>[Signature]</i>
Date	10/7/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant(s): WEISMAN, Kenneth and GOLDGERG, Michael

Serial No: 09/089,583

Group Art Unit: 1623

Filed: 06/03/1998

Examiner: OWENS, Howard V.

Att. Docket No.: W1068/20011

Confirmation No.:2991

For: METHOD OF DECREASING ATHEROSCLEROSIS AND ITS COMPLICATIONS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the September 8, 2004 dated "Notice of Non-Compliant Amendment" filed under 37 CFR 1.121, a corrected version of the section "Amendment to the Claims" is presented below. Because this Response is filed within one month of the mail date of the Notice of Non-Compliant Amendment, there is no fee due at this time.

LISTING OF THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1-2 (Canceled)

3. (Previously Presented) A method of decreasing atherosclerosis and its complications including but not limited to myocardial infarction, stroke and peripheral vascular disease comprising administering to an animal or human an amount of Finasteride or other inhibitor of 5 alpha reductase or an inhibitor of any subtype resulting in decreased levels of dihydrotestosterone (DHT), in an amount sufficient to reduce atherosclerosis.